

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DEREK LANEY)	
)	
Plaintiff,)	
)	
v.)	Cause No. 4:18-cv-01575-CDP
)	
CITY OF SAINT LOUIS, MISSOURI, et al.)	
)	
Defendants.)	

UNOPPOSED MOTION FOR MODIFICATION OF CASE MANAGEMENT ORDER

Without opposition from Defendants, Plaintiff Derek Laney, requests that this Court modify the deadlines by which the parties must disclose their respective expert witnesses and make them available for depositions. In support thereof, Plaintiff states the following:

1. On July 12, 2019, this Court entered its Case Management Order (hereinafter “CMO”) (ECF No. 38).

2. Section I.3(b) of the CMO provides, “Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **February 14, 2020**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **March 16, 2020**.”

3. Section I.3(c) of the CMO provides, “Defendant shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed. R. Civ. P., no later than **March 23, 2020**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **April 22, 2020**.” *Id.*

4. Section 1.3(d) of the CMO provides, “[a]ny rebuttal experts must be disclosed and shall provide the reports or other information by **May 1, 2020**; they must be available for depositions and have depositions completed no later than **June 1, 2020**.”

5. Plaintiff requests extensions of the deadlines set forth in I.3(b) and I.3(c) of the CMO in order to overcome unexpected hurdles.

6. To prevent delay in the remainder of the schedule, Plaintiff seeks to extend the respective deadlines set forth in I.3(b) and I.3(c) of the CMO and waive Plaintiff's right to rebuttal experts.

7. To that end, Plaintiff requests that Section I.3(b) of the CMO be amended as follows: "Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **March 23, 2020**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **April 22, 2020**."

8. Plaintiff requests that Section I.3(c) of the CMO be amended as follows: "Defendants shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed. R. Civ. P., no later than **May 1, 2020**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **June 1, 2020**."

9. Plaintiff is not requesting any delay of the completion of discovery deadline, which is currently set for **June 5, 2020**, or any other deadline.

10. This Motion is not made for any improper purposes and is in the interest of justice.

11. Defendants do not oppose this Motion.

WHEREFORE, Plaintiff requests that this Court grant Plaintiff's motion extending the expert deadlines.

Dated: February 14, 2020

Respectfully submitted,

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/s/ James R. Wyrsh

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